

S. R. No. 338—By Senator Herring: Memorial resolution for Clare Ogden Davis.

S. R. No. 339—By Senator Herring: Memorial resolution for E. A. "Doc" Woods, Sr.

Welcome and Congratulatory Resolutions

S. R. No. 326—By Senator Sherman: Extending congratulations to R. G. Mills on his selection as Amarillo's Man of the Year for 1970.

S. R. No. 327—By Senator Watson: Extending welcome to Mrs. Marilyn Hoster.

Adjournment

The President announced that the purpose of the Joint Session having been concluded, declared the Senate at 3:52 o'clock p.m. adjourned until 11:00 o'clock a.m., Monday, February 15, 1971, in accordance with a motion previously adopted in the Senate.

APPENDIX

Sent to Governor

Friday, February 12, 1971

S. B. No. 2

TWENTIETH DAY

(Monday, February 15, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Harris
Bates	Herring
Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman

Snelson
Wallace

Watson
Wilson

Absent—Excused

Word

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 12, 1971, was dispensed with and the Journal was approved.

Leave of Absence

Senator Word was granted leave of absence for today on account of important business on motion of Senator Watson.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senator Bridges:

S. B. No. 327, A bill to be entitled "An Act amending Section 14a, as added, and adding Section 14b, Chapter 94, Acts of the 51st Legislature, Regular Session, 1949 (Article 4512b, Vernon's Texas Civil Statutes), relating to refusing, revoking, suspending, and reinstating licenses to practice chiropractic and relating to the use of ionizing radiation; and declaring an emergency."

To Committee on Public Health.

By Senator Bridges:

S. B. No. 328, A bill to be entitled "An Act amending Chapter 416, Acts of the 53rd Legislature, Regular Session, 1953 (Article 1702i, Vernon's Texas Civil Statutes), to permit excess funds not needed for the maintenance of County Law Libraries, in counties having a population of three hundred fifty thousand or less, to be used for providing legal services for indigents; raising the maximum fee that can be collected to \$10.00 and extending it to criminal cases; providing a severance clause; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Bridges:

S. B. No. 329, A bill to be entitled

"An Act amending Chapter 478, Acts 1951, 52nd Legislature, (Article 8247a, Section 7a, Vernon's Texas Civil Statutes), to provide that any navigation district which heretofore or hereafter shall have constructed, purchased or otherwise acquired, or shall plan to construct, purchase or otherwise acquire, any facility by the use of revenue obligations issued pursuant to the provisions of Chapter 111, Acts 1933, 43rd Legislature, First Called Session, as amended, may place the management of said facility in a Board of Trustees during the time such obligations or refunding obligations are secured by pledge of revenues; validating resolutions and indentures heretofore adopted creating such Boards or making provision therefor; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Bridges:

S. B. No. 330, A bill to be entitled "An Act relating to vacancies on boards of county school trustees and governing boards of school districts, regional college districts, and junior college districts; and declaring an emergency."

To Committee on Education.

By Senator Bridges:

S. B. No. 331, A bill to be entitled "An Act making it the duty of the operator of a motorboat to require that passengers 16 years of age or under wear life preservers at all times; amending Subsection (f) of Section 7 of the Water Safety Act, Chapter 179, Acts of the 56th Legislature, Regular Session, 1959, as last amended by Section 1, Chapter 676, Acts of the 59th Legislature, Regular Session, 1965 (Article 1722a, Vernon's Texas Penal Code); and declaring an emergency."

To Committee on Jurisprudence.

By Senator Wilson:

S. B. No. 332, A bill to be entitled "An Act relating to the use of revolving funds by institutions of higher education; and declaring an emergency."

To Committee on Education.

By Senator Wilson:

S. B. No. 333, A bill to be entitled "An Act authorizing governing boards of public junior colleges orig-

inally created as county junior college districts which contain territory in three (3) or more counties to divide such junior college districts into nine (9) separate election districts and provide for election of one trustee from each district by qualified voters of that district; providing for terms of office and procedures of elections; providing a severability clause; and declaring an emergency."

To Committee on Education.

By Senator Brooks:

S. B. No. 334, A bill to be entitled "An Act amending Acts 1943, 48th Leg., Ch. 104, p. 180 (codified in Vernon's Texas Civil Statutes as Article 5154a) by repealing Section 5 thereof, relating to registration of labor union organizers with the Secretary of State; and declaring an emergency."

To Committee on Labor and Management Relations.

Senate Resolution 340

Senator Hightower offered the following resolution:

Whereas, It has been the custom to have photographs of the Governor, Lieutenant Governor, Senators, and Secretary of the Senate prepared in a block picture and placed in the Senate Chamber at the end of each legislative session; and

Whereas, It is the desire of the Senate to honor the children of the Members of the Senate and the Lieutenant Governor, as mascots; now, therefore, be it

Resolved, That all sons of the Members of the Senate and the Lieutenant Governor who have not reached their fifth birthday are hereby elected mascots of the Senate, and that their pictures be included in the block picture of the Senate; and, be it further

Resolved, That all daughters of the Members of the Senate and the Lieutenant Governor who have not reached their fifth birthday are hereby elected sweethearts of the Senate and their pictures be included in the block picture of the Senate; and be it further

Resolved, That this Resolution shall not include the children previously named mascots or sweethearts in the Senate and whose pictures appear on existing block picture panels of the Senate; and be it further

Resolved, By the Senate of Texas,

That the Administration Committee arrange to have the photographs made of the Governor, Lieutenant Governor, Senators, Secretary of the Senate, Mascots, and Sweethearts, and that said photographs be arranged in block panel and placed in the Senate Chamber, the expenses for which are to be paid out of the contingent fund of the Senate.

The resolution was read and was adopted.

Senate Resolution 343

Senator Hightower offered the following resolution:

Whereas, It is a popular procedure and a growing tradition in the Senate of the State of Texas to honor the children of Members; and

Whereas, Two proper candidates for Mascots of the Senate are the lovely children of our distinguished colleague, Senator Jim Bates, Edinburg, Hidalgo County, Texas, and his charming wife, Scotchie. The children are Janet Truitt, age 10 years, and Martha Truitt, age 7½ years; now, therefore, be it

Resolved, That Janet and Martha be honored as Mascots of the Senate of the State of Texas; and be it further

Resolved, That their photographs appear on the picture panel of the Senate of the 62nd Legislature, and that copies of this Resolution be prepared for them as a memento of this occasion.

The resolution was read and was adopted.

By unanimous consent, Senator Hightower presented Mrs. Bates, Janet and Martha to the Members of the Senate.

Senate Resolution 348

Senator Hightower offered the following resolution:

Whereas, On the occasion of his 39th birthday, the Senate of Texas desires to honor one who has rendered efficient and faithful service to the Senate since 1955 when he was first elected as Secretary of the Senate; and

Whereas, Charles A. Schnabel, Jr., has served the Senate with honor and dignity and has gone far beyond the requirements of his job to give per-

sonal assistance to the Senators; he holds the uncontested, singular distinction of being the fastest running Secretary of the Senate ever recorded in the annals of Texas history; and

Whereas, His reputation as a rugged and skilled hunter and outdoorsman is known throughout the southwest; this interest has led him to serve as Secretary and President of the Austin Woods and Waters Club, and as Chairman of the Local Camp of the Gideon International; and

Whereas, Charles A. Schnabel, Jr. was born in San Antonio, Texas; he moved to Austin in 1945 and attended Austin High School; his college work was done at The University of Texas where he earned his Bachelor of Arts degree; he later completed graduate studies in Public Administration; and

Whereas, In 1955, he had the good fortune and sound judgment to marry Miss Nadine Lawrence; this marriage was ultimately blessed with a son, Russell Mark, then a daughter, Beth Ann; and

Whereas, Besides his involvement in state government, he is an active participant in his church and in affairs of the community; he is a member of the Board of Trustees of the Gulf Coast Bible College; the Austin Jaycees, the Lions International, the Northwest Kiwanis Club; he serves as President of the National Association of Legislative Staff Officers; he is a member of the Austin Personnel Association and the American Society of Public Administration, and he has served in varied capacities in Northwest Little League; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature wishes to pay tribute to Charles A. Schnabel, Jr., on the occasion of his birthday on February 14, and by this Resolution to express our sincere appreciation for his tireless and enthusiastic efforts to serve the needs of the Senate since his election as Secretary of the Senate in 1955.

HIGHTOWER

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, and Word.

The resolution was read.

On motion of Senator Patman and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hightower the resolution was adopted.

Senate Concurrent Resolution 24

Senator Herring offered the following resolution:

S. C. R. No. 24, Inviting the Honorable Preston Smith to address a Joint Session of the Texas Legislature at 11:00 o'clock a.m. on February 18, 1971.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 25

Senator Herring offered the following resolution:

S. C. R. No. 25, Inviting astronauts Neil Armstrong, Michael Collins and Edwin E. Aldrin to participate in official ceremonies opening the Apollo 11 exhibit at the Capitol at 9:30 a.m., March 5, 1971.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 26

Senator Herring offered the following resolution:

S. C. R. No. 26, Commending those who participated in arrangements for Apollo 11 exhibit.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 15, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 39, Commending the Adolph Coors Company of Golden, Colorado, on its "cash-for-cans" aluminum recovery program.

Respectfully submitted,
DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Senate Bill 216 on Second Reading

Senator Herring moved that Senate Rules 13 and 110 be suspended and that S. B. No. 216 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 216, A bill to be entitled "An Act amending Statutes allowing eligible members of the Employees Retirement System to claim service as a Criminal District Attorney, County Attorney performing the duties of a District Attorney, or as a member of certain Statewide Boards or Commissions as creditable service under the Employees Retirement System of Texas on making certain payments into the System; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following Committee Amendment to the bill:

Amend Section 1, in the quoted subsection H, the third paragraph under numeral 3, of Senate Bill 216 to read as follows:

"The Employees Retirement System shall not grant credit for any such service that is simultaneously credited by any other retirement system or program established under or governed by the laws of this State. Credit for such service granted by the Employees Retirement System may not thereafter be simultaneously credited by any other retirement system or program."

The Committee Amendment was read and was adopted.

Senator Herring offered the following Committee Amendment to the bill:

Amend Section 1, in the quoted subsection H, the third paragraph under numeral 1, of Senate Bill 216 to read as follows:

"The Employees Retirement System shall not grant credit for any such service that is simultaneously credited by any other retirement system or program established under or governed by the laws of this State. Credit for such service granted by the Employees Retirement System may not thereafter be simultaneously credited by any other retirement system or program."

The Committee Amendment was read and was adopted.

Senator Herring offered the following Committee Amendment to the bill:

Amend caption of Senate Bill 216 to read as follows:

"amending Section 4, Chapter 352, Acts of the 50th Legislature, as amended (Article 6228a, Vernon's Revised Texas Civil Statutes), by adding Subsection H to Section 4 allowing eligible members of the Employees Retirement System to claim service as a Criminal District Attorney, County Attorney performing the duties of a District Attorney, as a member of certain Statewide Boards or Commissions, and as a judge of certain courts as creditable under the Employees Retirement System of Texas on making certain payments into the System; and declaring an emergency."

The Committee Amendment was read and was adopted.

The bill as amended was passed to engrossment.

Senate Bill 216 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 216 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson

Absent—Excused

Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson

Absent—Excused

Word

Executive Session

Senator Christie announced that the time had arrived for an Executive Session at 11:30 o'clock a.m. today (he having given Notice on Friday, February 12, 1971),

Accordingly, the President directed all of those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations:

To be District Attorney of the 34th Judicial District, until the next General Election and until his successor shall be duly elected and qualified: Stephen Willis Simmons, El Paso, El Paso County, Texas.

To be a Member of the Board of Pardons and Paroles: For a six-year term to expire February 1, 1977: Clyde Whiteside, Seymour, Baylor County, Texas.

To be District Attorney of the 50th Judicial District, until the next General Election and until his successor shall be duly elected and qualified: William H. Heatly, of Paducah, Cottle County, to replace Clyde Whiteside, of Seymour, Baylor County.

To be Members of the Board of Regents of the University of Texas: For six-year terms to expire January 10, 1977: Mrs. Claudia Taylor Johnson, Stonewall, Texas; A. G. McNeese, Jr., Houston, Texas; Joe Thomas Nelson, M.D., Weatherford, Texas.

To be a Member of the Gulf States Marine Fisheries Commission: For a three-year term to expire March 17, 1972: John A. Mehos, of Galveston, Galveston County, to replace Virgil Versaggi, of Brownsville, Cameron County.

To be Members of the Board of Directors of the Lavaca-Navidad River Authority: For a six-year term to expire May 1, 1975: Hans R. Wittenburg, of Edna, Jackson County, to replace Dr. C. M. Dugger, of Edna, Jackson County; for six-year terms to expire May 1, 1975: Chester Franklin Spencer, of Ganado, Jackson County, for reappointment; Carroll Sheppard Traylor, of Port Lavaca, Calhoun County, for reappointment.

To be Members of the Board of Directors of the Guadalupe-Blanco River Authority: To fill the unexpired term of Edgar F. Engelke, of Seguin, Guadalupe County, deceased, term to expire February 1, 1973: John C. Taylor, of Seguin, Guadalupe County; to fill the unexpired term of Reagan B. Cates, of Victoria, Victoria County, resigned, term to expire Feb-

ruary 1, 1973: Joseph Patrick Kelly, of Victoria, Victoria County.

To be Members of the State Seed and Plant Board: For two-year terms to expire October 6, 1971: Dr. Morris E. Bloodworth, of College Station, Brazos County, for reappointment; Dr. Harold E. Dregne, of Lubbock, Lubbock County, to replace Dr. A. W. Young, of Lubbock, Lubbock County; Douglas M. Conlee, of Waco, McLennan County, to replace B. Raymond Evans, of Tulia, Swisher County.

To be Members of the Sabine River Authority of Texas: Tom R. Pegues, of Mineola, Wood County, for reappointment; Malcolm J. Henley, of Tyler, Smith County, to replace Gus Osborn, Jr., of Emory, Rains County.

To be Members of the Upper Guadalupe River Authority: To fill the unexpired term of Fred Junkin, of Kerrville, Kerr County, deceased, term to expire January 1, 1972: Guy C. Jackson, Jr., of Kerrville, Kerr County; for six-year terms to expire January 1, 1974: Jasper Moore, of Ingram, Kerr County, for reappointment; Arthur Lochte, of Kerrville, Kerr County, for reappointment.

To be a Member of the Board of Directors of the Red River Authority of Texas: For a six-year term to expire August 11, 1971, for reappointment: Joe M. Leonard, Jr., Gainesville, Cooke County, Texas.

To be Members of the Board of Directors of the Upper Colorado River Authority: For six-year terms to expire January 1, 1975: Jack Douthit, of Sterling City, Sterling County, for reappointment; L. T. Youngblood, of Bronte, Coke County, for reappointment; Dale Leddy, of San Angelo, Tom Green County, for reappointment.

To be Members of the Board of Directors of the Trinity River Authority of Texas: To fill the unexpired term of John M. Gray, of Dallas, Dallas County, resigned, term to expire March 15, 1973: James Philip Gibbs, Jr., of Huntsville, Walker County, Texas; for six-year terms to expire March 15, 1975: Paul Hamilton Cauthan, Jr., of Trinity, Trinity County, Texas, for reappointment; John D. Kirven, of Waxahachie, Ellis County, Texas, for reappointment; Obie Paul

Leonard, of Fort Worth, Tarrant County, Texas, for reappointment; James Browder, of Coldsprings, San Jacinto County, Texas, to replace Bernice Finger, of Shepherd, San Jacinto County, Texas; Roy E. Pitts, of Dallas, Dallas County, Texas, to replace Walter B. Hailey, Jr., of Dallas, Dallas County, Texas; Gilbert Gresham, of Centerville, Leon County, Texas, for reappointment; Jesse Boyd Heath, M.D., of Madisonville, Madison County, Texas, for reappointment; Edward Nash, of Kaufman, Kaufman County, to replace Fred V. Meridith, Sr., of Terrell, Kaufman County, Texas.

To be Director of the Division of State-Federal Relations: Randy Pendleton, of Andrews, Andrews County, to serve at the will of the Governor.

To be District Attorney of the 132nd Judicial District, until the next General Election and until his successor shall be duly elected and qualified: Lealand W. Greene, of Snyder, Scurry County, to replace Tommie J. Mills, of Snyder, Scurry County, who resigned, effective January 1, 1971.

To be Members of the Board of Directors of the Lower Concho River Water and Soil Conservation Authority: For six-year term to expire January 1, 1975: Joe Brosig, of Paint Rock, Concho County, for reappointment; William Robert Loveless, of Eden, Concho County, for reappointment; Floyd Franke, of Millersview, Concho County, to replace Lambert Abernathy, of Millersview, Concho County.

To be Members of the Runnels County Water Authority Board of Directors: To fill the unexpired term of Eugene Kasberg, of Miles, Runnels County, resigned, term to expire January 1, 1973: William Cleveland Smithwick, Jr., of Miles, Runnels County; for six-year terms to expire January 1, 1975: Cloy L. Allen, of Wingate, Runnels County, to replace George Cathey, of Wingate, Runnels County; E. E. King, of Ballinger, Runnels County, to replace Tom Caudle, of Ballinger, Runnels County; Harley Hilliard, of Norton, Runnels County, to replace Cecil Roper, of Norton, Runnels County.

To be Members of the Board of Directors of the Lavaca County Flood

Control District No. Three: For two-year terms to expire January 1, 1972: Erwin Joseph Bucek, of Hallettsville, Lavaca County, for reappointment; Leon Louis Kahanek, Jr., of Hallettsville, Lavaca County, for reappointment; Alfred Neumeyer, Jr., of Hallettsville, Lavaca County, for reappointment.

To be Members of the Board of Directors of the Nueces River Conservation and Reclamation District: For six-year terms to expire February 1, 1975: Ramiro R. Ramirez, of Alice, Jim Wells County, for reappointment; Melvin Rowland, of Uvalde, Uvalde County, for reappointment; Harry J. Schulz, of Three Rivers, Live Oak County, for reappointment; B. M. Silva, of Carrizo Springs, Dimmit County, for reappointment; J. Bernard Vine, of Dilley, Frio County, for reappointment; Tom E. Powers, of San Antonio, Bexar County, to replace LeRoy Smith, of San Antonio, Bexar County; Joe E. Briscoe, of Devine, Medina County, to replace Ferd Meyer, of Devine, Medina County.

To be Members of the Rio Grande Valley Municipal Water Authority: For two-year terms to expire April 30, 1972: Paul G. Veale, of McAllen, Hidalgo County, for reappointment; W. M. Bell, of Donna, Hidalgo County, for reappointment.

To be Members of the Board of Directors of the Rio Grande Valley Pollution Control Authority: For two-year terms to expire April 30, 1971: Vance D. Raimond, of Harlingen, Cameron County, for reappointment; S. H. Collier, Jr., of Mercedes, Hidalgo County, for reappointment; Garland Smith, of Weslaco, Hidalgo County, for reappointment; for two-year terms to expire April 30, 1972: Carlton Farris, of McAllen, Hidalgo County, for reappointment; A. M. Hervey, of San Benito, Cameron County, for reappointment.

To be Branch Pilots for the Galveston Bar and Houston Ship Channel: For a four-year term to expire February 4, 1974: Captain William W. Steinhart, Houston, Harris County, Texas; for a four-year term to expire February 9, 1974: Captain Jack E. Rowland, Houston, Harris County, Texas; for a four-year term to expire February 12, 1974: Captain Curtis W. Burlison, Houston, Harris

County, Texas; for a four-year term to expire February 28, 1974: Captain Jack Vetter, Houston, Harris County, Texas; for a four-year term to expire March 11, 1974: Captain H. B. Willis, Pasadena, Harris County, Texas; Captain Philip Pizzitola, La Porte, Harris County, Texas; for a four-year term to expire April 18, 1974: Captain Lee Roy Murray, Jr., Houston, Harris County; for a four-year term to expire May 8, 1974: Captain Zane Skinner, Houston, Harris County, Texas; for a four-year term to expire June 2, 1974: Captain Roger H. Sutton, Houston, Harris County, Texas; for a four-year term to expire June 8, 1974: Captain Eugene C. Garrison, Houston, Harris County, Texas; for a four-year term to expire June 11, 1974: Captain Robert L. White, Jr., Houston, Harris County, Texas; for a four-year term to expire June 14, 1974: Captain Roy R. Faulkner, Houston, Harris County, Texas; for a four-year term to expire July 17, 1974: Captain John B. Niday, Jr., Houston, Harris County, Texas; for a four-year term to expire August 1, 1974: Captain L. A. LeBert, Houston, Harris County, Texas; for a four-year term to expire October 9, 1974: Captain W. C. Nixon, Houston, Harris County, Texas; for a four-year term to expire October 10, 1974: Captain Neill W. Ray, Houston, Harris County, Texas; Captain T. E. Longino, Houston, Harris County, Texas; for a four-year term to expire September 4, 1973: Captain Robert E. Adams, La Porte, Harris County, Texas; Captain Pat James Neely, Jr., Houston, Harris County, Texas; for a four-year term to expire September 9, 1973: Captain Thomas N. Lightsey, Jr., Houston, Harris County, Texas; for a four-year term to expire September 12, 1973: Captain Leroy Arthur, La Porte, Harris County, Texas; for a four-year term to expire October 3, 1973: Captain Edward Bernard Mercer, Jr., Houston, Harris County, Texas; for a four-year term to expire October 21, 1973: Captain Thomas Holland Bratcher, Pasadena, Harris County, Texas; for a four-year term to expire December 21, 1973: Captain Paul A. Galler, Houston, Harris County, Texas; for a four-year term to expire January 6, 1974: Captain J. C. Wall, Channelview, Harris County, Texas.

To be Branch Pilots for the Brazos-Santiago Pass, Bar and Tributaries:

For a two-year term to expire August 6, 1972: Captain S. E. Ridley, Brownsville, Cameron County, Texas; for a two-year term to expire August 22, 1972: Captain E. S. Drake, Brownsville, Cameron County, Texas.

To be Branch Pilots for the Matagorda-Lavaca Bays: For a four-year term to expire December 9, 1973: Captain Archie T. Gibson, Port Lavaca, Calhoun County, Texas; for a four-year term to expire January 20, 1974: Captain Billy R. Butler, Point Comfort, Calhoun County, Texas.

To be Branch Pilots for the Sabine Bar, Pass, and Tributaries: For a four-year term to expire January 14, 1974: Captain D. C. Ferguson, Beaumont, Jefferson County, Texas; for a four-year term to expire February 28, 1974: Captain A. R. Bellgard, Port Arthur, Jefferson County, Texas; Captain H. H. Guidry, Port Arthur, Jefferson County, Texas; Captain G. C. Reeser, Beaumont, Jefferson County, Texas; for a four-year term to expire April 1, 1974: Captain C. C. Grant, Port Arthur, Jefferson County, Texas; Captain L. O. Hodger, Port Arthur, Jefferson County, Texas; for a four-year term to expire April 1, 1974: Captain Bert Jackson, Beaumont, Jefferson County, Texas; for a four-year term to expire April 15, 1974: Captain A. Glenn Wortham, Beaumont, Jefferson County, Texas; for a four-year term to expire June 23, 1974: Captain Robert C. Brown, Nederland, Jefferson County, Texas; for a four-year term to expire December 3, 1974: Captain A. M. Castle, Jr., Groves, Jefferson County, Texas; Captain S. B. Ellis, Beaumont, Jefferson County, Texas; Captain J. R. Livingston, Port Arthur, Jefferson County, Texas; Captain L. S. Tibbetts, Port Arthur, Jefferson County, Texas; for a four-year term to expire October 1, 1973: Captain Robert Welch, Port Arthur, Jefferson County, Texas.

To be Branch Pilots for the Brazos River and Bar: For a four-year term to expire June 1, 1973: Captain Alvin A. Miller, Freeport, Brazoria County, Texas; Captain Kenneth A. Gonzales, Freeport, Brazoria County, Texas; for a four-year term to expire November 11, 1973: Captain John William Burns, Freeport, Brazoria County, Texas.

To be Branch Pilots for the Ports

of Galveston and Texas City: For a four-year term to expire March 5, 1974: Captain Richard C. McMains, Texas City, Galveston County, Texas; for a four-year term to expire April 25, 1974: Captain George W. Davis, Galveston, Galveston County, Texas; Captain William J. Thuerwachter, Galveston, Galveston County, Texas; for a four-year term to expire August 29, 1973: Captain Robert W. Howard, Galveston, Galveston County, Texas; for a four-term term to expire October 30, 1973: Captain James A. Borup, Galveston, Galveston County, Texas.

To be Branch Pilots for the Port Aransas Bar, Corpus Christi Bay and Tributaries: For a four-year term to expire January 22, 1974: Captain Ollin Shepard, Corpus Christi, Nueces County, Texas; for a four-year term to expire March 15, 1974: Captain John O. Teller, Corpus Christi, Nueces County, Texas; for a four-year term to expire March 15, 1974: Captain Robert J. Haywood, Jr., Ingleside, San Patricio County, Texas; for a four-year term to expire April 28, 1974: Captain Frederick J. Herbert, Corpus Christi, Nueces County, Texas; for a four-year term to expire May 31, 1974: Captain John Frederick Mathisen, Port Aransas, Nueces County, Texas; for a four-year term to expire November 18, 1974: Captain Philip R. Rickey, Corpus Christi, Nueces County, Texas; for a four-year term to expire October 9, 1973: Captain Carl Joseph Bromley, Jr., Corpus Christi, Nueces County, Texas; for a four-year term to expire November 3, 1973: Captain Anton Thomas Mathews, Port Aransas, Nueces County, Texas; Captain Robert DeForest, Rockport, Aransas County, Texas; for a four-year term to expire November 30, 1973: Captain Harold Percy Lister, Port Aransas, Nueces County, Texas.

To be Members of the Egg Marketing Advisory Board: For six-year terms to expire September 27, 1973: Jack Mark Dubose, of Gonzales, Gonzales County, for reappointment; Boyd Harold Hilley, of Lamesa, Dawson County, for reappointment; for six-year terms to expire September 27, 1975: Gary H. Pace, of Fort Worth, Tarrant County, for reappointment; D. W. Reneau, of Seguin, Guadalupe County, for reappointment; John H. Nash, Jr., of Austin,

Travis County, to replace Tom Cook, of Corpus Christi, Nueces County.

The Secretary of the Senate also informed the Journal Clerk that the Senate had rejected the following nomination:

George J. Laughead, of San Antonio, Bexar County, to replace Marvin Gilbreath, of Weimar, Colorado County, to be a Member of the Egg Marketing Advisory Board.

In Legislative Session

The President called the Senate to order as In Legislative Session at 11:50 o'clock a.m.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 15, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 84, A bill to be entitled "An Act amending the following numbered sections and subsections of Chapter 470, Acts of the Regular Session of the 45th Legislature of Texas (establishing and regulating the Teacher Retirement System of Texas), as heretofore amended and recompiled by Chapter 41, Acts of the Regular Session of the 61st Legislature of Texas, viz.: amending Section 1.02(a) of said Act; amending Sections 3.01(c), 3.01(d) and 3.01(e) of said Act; amending Section 3.08 of said Act; and amending Section 4.05(b) of said Act; and declaring an emergency."

H. B. No. 207, A bill to be entitled "An Act relating to providing that the district clerk and criminal district attorney serving in those offices for the 124th Judicial District shall serve in those offices for the 188th Judicial District; amending Sections 17 and 19, Chapter 23, Acts of the 42nd Legislature, 1st Called Session, 1931, as amended (Subdivision 124, Article 199, Vernon's Texas Civil Statutes); and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk House of Representatives

Bill and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

H. C. R. No. 36.

H. C. R. No. 35.

H. B. No. 213 (Signed, subject to the provisions of Article III, Section 49a of the Texas Constitution.)

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 84, To Committee on Education.

H. B. No. 207, To Committee on County, District and Urban Affairs.

Memorial Resolutions

S. R. No. 341—By Senator Hightower: Memorial resolution for Sergeant David Connel.

S. R. No. 349—By Senator Watson: Memorial resolution for Gene Maddin.

S. R. No. 350—By Senator Watson: Memorial resolution for Milton (Bill) Lifland.

S. R. No. 351—By Senator Watson: Memorial resolution for M. W. Kasmiroski.

S. R. No. 352—By Senator Watson: Memorial resolution for Jack C. Vaughn.

S. R. No. 353—By Senator Watson: Memorial resolution for Mrs. J. C. Stovall.

S. R. No. 354—By Senator Watson: Memorial resolution for Raymond W. Marion.

S. R. No. 355—By Senator Watson: Memorial resolution for Mrs. Maggie Mullins.

S. R. No. 356—By Senator Watson: Memorial resolution for Freddie F. Simons.

S. R. No. 357—By Senator Watson: Memorial resolution for Mrs. Harold Welch.

S. R. No. 358—By Senator Watson: Memorial resolution for Walton D. Taylor.

S. R. No. 359—By Senator Watson: Memorial resolution for Roy J. Porter.

S. R. No. 360—By Senator Watson: Memorial resolution for Jessie R. Alford.

S. R. No. 361—By Senator Watson: Memorial resolution for Lee Shook.

S. R. No. 362—By Senator Watson: Memorial resolution for John Charles Young.

Welcome and Congratulatory Resolutions

S. R. No. 342—By Senator Snelson: Extending congratulations to Mrs. Martin Baze.

S. R. No. 344—By Senators Aikin and Creighton: Extending welcome to Herby Cohen.

S. R. No. 345—By Senator McKool: Extending welcome to Tom Prentice.

S. R. No. 346—By Senators McKool and Hall: Extending welcome to Earl Luna.

S. R. No. 347—By Senators Brooks and Word: Extending congratulations to Mike Conradt.

Adjournment

On motion of Senator Aikin the Senate at 11:59 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

In Memory of

Former Senator Penrose B. Metcalfe

Senator Snelson offered the following resolution:

(Senate Concurrent Resolution 22)

Whereas, The citizens of the State of Texas were deeply saddened by the loss of an eminent Texas legislator, former Senator Penrose B. Metcalfe, who died March 6, 1970, at the age of 76; and

Whereas, Senator Metcalfe was a man of unquestionably high principles and integrity, who gave unselfishly of his talents and abilities to promote the growth and development of the great State of Texas; and

Whereas, He was born November 24, 1893, on the XQZ Ranch operated by his father, graduated with honors from San Angelo schools, and entered Texas A&M College in 1912. He graduated from there in 1916 with a degree of Bachelor of Science in Agriculture and subsequently served his country in World War I, being discharged from the service as a captain in the Air Corps; and

Whereas He was extremely civic-minded and devoted to the progress of this state, serving from 1929-38 as a member of the Texas House of Representatives; from 1939-46 as a member of the Texas Senate; five years as a member of the Tom Green County School Board; two years as a member of the Upper Colorado River Authority; also being a member of the State Board of Education from 1950-67; serving as president of the Texas Sheep and Goat Raisers Association; six years as vice president of the National Wool Growers Association and two years as president; and he served numerous times as a member of the Council of the Texas A&M Association of Former Students; in addition to which he was a member of the Tom Green County and State Bar Associations; and

Whereas, He generously gave of his time and efforts in contributing to the growth and progress of his community, being a member of the First Presbyterian Church where he was a member of the choir and a soloist for that group; a member of the Masons and the Shrine; a member of the James J. Goodfellow Jr. Post of the American Legion from the time of its organization; a life member of the Parent-Teacher Association in recognition of his service rendered to the schools of San Angelo; he became an honorary Lone Star Farmer, a designation of the Future Farmers of America, and was listed in Who's Who in America in 1964 in recognition of his outstanding contributions to society; and

Whereas, Senator Metcalfe is survived by a cousin, Mrs. Margie Ferry of San Angelo; and

Whereas, The Senate of the 62nd Legislature of the State of Texas wishes to pay tribute to the memory of this fine statesman who exemplified those qualities toward which all men should strive, and to extend its most sincere sympathy to the loved ones of Senator Metcalfe; now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, adopt this Resolution and that copies of this Resolution be sent to the family of Senator Metcalfe; and, be it further

Resolved That a page in the Senate Journal be set aside in respect to the value of his life, which will be reflected always in the thoughts of others; and that when the Senate adjourns this day it do so in memory of Senator Penrose B. Metcalfe, an outstanding Texan who spent a great part of his life in the service of his fellow man.

SNELSON
AIKIN

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Putman, Ratliff, Schwartz, Sherman, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Snelson and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Snelson the resolution was adopted by a rising vote of the Senate.